

IN THE SENATE OF THE UNITED STATES.

APRIL 7, 1860.—Ordered to be printed.

Mr. NICHOLSON submitted the following

REPORT.

*The Committee on Revolutionary Claims have had under consideration the petition of William C. Morris, who petitions for himself and the representatives of Joseph Morris, deceased, praying for the seven years' half pay due to Joseph Morris as an officer in the revolutionary army, and respectfully submit to the Senate the following report:*

It is satisfactorily shown that Joseph Morris was a major of the New Jersey line in the revolutionary war, and that he was wounded in action on the 7th of December, 1777, and died of his wound on the 5th January, 1778.

The petition shows that Major Morris left a widow, Hannah Morris, who died on the 12th of February, 1799, and a son, Jonathan F. Morris, who died in 1810, leaving the petitioners, his children and heirs. They claim that their grandfather was entitled to seven years' half pay as a major under the resolutions of Congress passed in 1778 and 1780; that the same has never been paid either to their grandmother, the widow of the said Joseph Morris, or to their father, Jonathan F. Morris, the son of said Joseph Morris, and therefore that they are entitled to receive the same.

This case was first presented to Congress in 1837, and on the 8th of February, 1842, the Committee on Revolutionary Claims made an adverse report, and recommended its rejection by the Senate. On the 18th of February, 1842, the Senate took up the report for action, and resolved that the prayer of the petitioner ought not to be granted.

The case as now presented differs in no material respect from that which was so rejected by the Senate. The reasons on which the committee recommended its rejection in 1842 exist now in full force, and are such that no additional proof, consistent with the facts stated in the petition, could produce a different result.

But in addition to the objections to the allowance of this claim contained in the report of 1842, the committee deem it proper to notice

another fact which seems to them to be conclusive against the case. It appears from the petition that Major Morris was mortally wounded on the 7th of December, 1777, and died on the 5th of January, 1778. The resolution of Congress giving seven years' half pay to all officers *then* in service, or who might *thereafter* be in service, was passed on the 15th of May, 1778, more than four months after Major Morris's death. The resolution of August 24, 1780, extending the benefits of that resolution to the widows or children of those officers who had died, or should thereafter die in service, did not embrace the cases of officers whose death had occurred prior to the 15th of May, 1778. Upon this ground, therefore, as well as upon those stated in the report made by Mr. Phelps on the 8th of February, 1842, the committee recommend the adoption of the following resolution:

*Resolved*, That the prayer of the petitioners be rejected.